



017
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,483	10/31/2000	Daniel Guy Stephens JR.	191406-1010	9819

7590 08/12/2004
MALLOY & MALLOY PA
C/O John Fulton Jr
2800 S W Third Avenue
Miami, FL 33129

EXAMINER

KLIMACH, PAULA W

ART UNIT	PAPER NUMBER
----------	--------------

2135

DATE MAILED: 08/12/2004 11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/702,483

Applicant(s)

STEPHENS ET AL.

Examiner

Paula W Klimach

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-2, 5-31, 33-41, and 43-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 5-31, 33-41, and 43-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 5/14/04 (Paper No. 10). Original application contained Claims 1-51. Applicant added Claims 52-54, cancelled Claims 3-4, 32, and 42, and amended Claims 25-27, 31, 33, 35, 37, 41, and 44-47. Applicants also have made the appropriate adjustment to specification to overcome claim objection as identified in previous office action (Paper No. 6). The amendment filed on 5/14/04 have been entered and made of record. Therefore, presently pending claims are 1-2, 5-31, 33-41, and 43-54.

Response to Arguments

Applicant's arguments filed 5/14/04 have been fully considered and are found persuasive. The delay in citation of the newly discovered prior art is regretted.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feinleib (6,272,532 B1)

In reference to claim 2, a secure system for communicating with devices, comprising: an email server having at least one file and at least one initialized device configured to retrieve the file from the email server (column 2 lines 62-64). The message is retrieved from the file server

Art Unit: 2135

therefore the email server contains at least one file. File is retrieved in response to a polling of the email server by the at least one initialized device (column 4 lines 26-37). The messages are periodic.

However, Feinleib the email server disclosed by Feinleib is not a remote server.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a remote central server. One of ordinary skill in the art would have been motivated to do this because placing the email server in a remote location provides the coverage of a larger number of systems by the same server thereby reducing costs..

In reference to claim 5, wherein the at least one file includes configuration data (column 4 lines 11-17).

In reference to claim 6, wherein the at least one initialized device is further configured to reconfigure system parameters of the at least one device according to the configuration data (column 4 lines 11-17).

Claims 7-19, 23, and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feinleib as applied to claim 2 above, and further in view of Frailong et al (6,230,194 B1).

In reference to claim 7, Feinleib does not disclose wherein the at least one initialized device is a gateway server.

Frailong discloses a system wherein the at least one initialized device is a gateway server (column 5 lines 41-45).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a gateway as in the system of Frailong in the system of Feinleib. One of

Art Unit: 2135

ordinary skill in the art would have been motivated to do this because it would simplify the configuration of device for connection to a network.

In reference to claim 8, Feinleib does not disclose a local area network (LAN) connected to the gateway server.

Frailong discloses a local area network (LAN) connected to the gateway server (column 6 lines 50-54 and column 4 lines 58-67).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a gateway as in the system of Frailong in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because it would simplify the configuration of device for connection to a network.

In reference to claim 9, wherein the system parameters include host configuration (column 2 lines 59-62).

In reference to claim 10, Feinleib does not disclose a system wherein the system parameters include device setup configuration.

However Frailong discloses a system wherein the system parameters include device setup configuration (column 2 lines 50-52).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include device setup configuration as in the system of Frailong in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because it would simplify the configuration of device for connection to a network.

In reference to claim 11, Feinleib does not disclose a system wherein the system parameters include domain name system (DNS) management configuration

Art Unit: 2135

However Frailong discloses a system wherein the system parameters include domain name system (DNS) management configuration (column 10 lines 28-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include the domain name system configuration as in the system of Frailong in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because it would simplify the configuration of device for connection to a network.

In reference to claim 12-19, Feinleib does not disclose a system wherein the system parameters include configuration of firewall object, firewall rule, firewall status, email setup, user setup, group setup, file share device operating statistics configuration.

Frailong discloses a system wherein the system parameters include configuration of firewall object, firewall rule, firewall status, email setup, user setup, group setup, file share device operating statistics configuration (column 5 lines 29-32).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include configuration of firewall object, firewall rule, firewall status, email setup, user setup, group setup, file share device operating statistics configurationas in the system of Frailong in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because it would simplify the configuration of device for connection to a network.

In reference to claim 23, Feinleib does not disclose a system wherein the at least one initialized device is a networked device or gateway server.

However Frailong discloses a system wherein the at least one initialized device is a networked device or gateway server (column 14 lines 63-65).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to initialize at least one device or gateway server in the system of Frailong in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because it would simplify the configuration of device for connection to a network.

In reference to claim 25 and 26, wherein the polling of the central server is done on a predetermined, random or requested schedule or periodically (column 4 lines 26-37).

In reference to claim 27, Feinleib does not disclose a system further comprising an administration machine configured to create the at least one file and securely transmit the at least one file to the central server.

However Frailong discloses a system further comprising an administration machine configured to create the at least one file and securely transmit the at least one file to the central server (column 2 lines 59-62 and column 4 lines 11-17)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to configure the system administration machine to create the at least one file in the system of Frailong in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because it would simplify the configuration of device for connection to a network.

In reference to claim 28, Feinleib does not disclose a system further comprising a local area network (LAN), WAN, Internet or modem connected to the administration machine.

However Frailong discloses a system further comprising a local area network (LAN), WAN, Internet or modem connected to the administration machine (Fig. 2 column 12 lines 26-29).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to connect the system to a LAN, WAN, Internet or modem in the system of Frailong in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because the size of the network depends on the users needs.

In reference to claim 29, Feinleib does not disclose an administration machine further comprising a firewall.

Frailong discloses a system wherein the administration machine further comprises: a firewall configured to prevent unauthorized access to the administration machine (column 18 lines 25-28); a network interface configured to interface the administration machine with a network (Fig 2 connects to internet in combination with column 12 lines 26-29); an input device configured to receive user instructions to edit at least one file; a storage device configured to store the at least one file (column 12 lines 9-13); and a processor configured to retrieve the at least one file from the storage device and encrypt the at least one file, the processor further configured to transmit the encrypted file (column 15 lines 6-15).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to connect a firewall as in the system of Frailong in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because it would protect the inner part of the network.

In reference to claim 30, Feinleib does not disclose a system wherein the administration machine further comprises a remote configuration.

Frailong discloses a system wherein the administration machine further comprises a remote configuration port configured to receive at least one file from a workstation on the local area network (LAN) (column 12 lines 48-52).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include a system wherein the administration machine further comprises a remote configuration as in the system of Frailong in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because this would simplify the connection to the network.

Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feinleib and Frailong as applied to claim 2 above, and further in view of Smith et al (6,532,543 B1).

In reference to claim 20, Feinleib and Frailong do not disclose a system wherein the configuration data is an encrypted file.

Smith discloses a system wherein the configuration data is an encrypted file (column 22 lines 24-28).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to encrypt the configuration file as in the system of Smith in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because it would increase the security of transmitting the file from the remote server to the target device therefore securing the configuration process.

In reference to claim 21, Feinleib and Frailong do not disclose a system wherein the at least one initialized device is further configured to decrypt and authenticate the encrypted file.

Art Unit: 2135

Smith discloses a system wherein the at least one initialized device is further configured to decrypt and authenticate the encrypted file (column 22 lines 29-32).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to configure a device to decrypt the file as in the system of Smith in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because decrypting the file would allow the device to gain access to the configuration.

In reference to claim 22, Feinleib and Frailong do not disclose a system wherein the at least one initialized device further comprises: a network interface configured to receive the encrypted file; a storage device configured to store the encrypted file; and a processor configured to retrieve the encrypted file from the storage device and decrypt the encrypted file to produce decrypted configuration data.

Smith discloses a system wherein the at least one initialized device further comprises: a network interface configured to receive the encrypted file; a storage device configured to store the encrypted file; and a processor configured to retrieve the encrypted file from the storage device and decrypt the encrypted file to produce decrypted configuration data(column 22 lines 29-32).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to configure a device to decrypt the file as in the system of Smith in the system of Feinleib. One of ordinary skill in the art would have been motivated to do this because decrypting the file would allow the device to gain access to the configuration.

Claims 31, 33-39, 40-41, 43-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Feinleib.

In reference to claims 31 and 41, Smith discloses a method for securely configuring remote networked devices, comprising the steps of:

creating a configuration database (column 17 lines 34-38);
encrypting data from the configuration database to produce an encrypted file (column 22 lines 24-28);
transmitting the encrypted file to a remote device (column 22 lines 24-26).

However Smith does not disclose storing the configuration files on a remote email server and retrieving the configuration data from the remote email server reconfiguring a network device according to the configuration data in response to the retrieving step.

Feinleib disclose a method of storing the file on the remote email server and retrieving configuration data from the remote email server (column 2 lines 62-64); finally reconfiguring a network device according to the configuration data in response to the retrieving step (column 4 lines 11-17).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to store the configuration file on a remote email server and retrieve the configuration data from the remote email server as in Feinleib in the system of Smith. One of ordinary skill in the art would have been motivated to do this because email is a widespread mode of communication; as a result it is a simple and efficient way to ensure that all devcie receive the new configuration.

In reference to claims 33 and 45, Smith does not disclose polling a central server (column 16 lines 36-46).

Feinleib discloses periodic messages (column 4 lines 26-37) which perform the function of polling

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to poll the server as in the system of Feinleib in the system of Smith. One of ordinary skill in the art would have been motivated to do this because it would allow the target device to have up to date configurations.

In reference to claims 34 and 43, further comprising the step of notifying an administration machine in response to the reconfiguring step (column 22 lines 1-9).

In reference to claims 35 and 44, further comprising the step of decrypting the encrypted file to produce decrypted configuration data (column 22 lines 29-32).

In reference to claim 36, wherein the reconfiguring step is further in response to the decrypting step (column 22 lines 29-45).

In reference to claim 37, Smith does not disclose a system wherein the retrieving step is responsive to a polling of a central server

Feinleib discloses a system wherein the email message is retrieved periodically from the email server (column 2 lines 62-64 and column 4 lines 26-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to poll the server and then as in the system of Feinleib in the system of Smith. One of ordinary skill in the art would have been motivated to do this because it would allow the target device to have up to date configurations.

In reference to claim 38, 39, 46 and 47, Smith does not disclose a system wherein the polling is done on a predetermined schedule or periodically.

Feinleib discloses a system wherein the email message is retrieved periodically form the email server (column 2 lines 62-64 and column 4 lines 26-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to poll the server and then as in the system of Feinleib in the system of Smith. One of ordinary skill in the art would have been motivated to do this because it would allow the target device to have up to date configurations.

In reference to claims 40 and 51, wherein the networked device is a gateway server (Fig. 6 B).

In reference to claims 48-50, Smith does not disclose as system wherein the retrieving step is responsive to the polling step.

Feinleib discloses a system wherein the email message is retrieved periodically form the email server (column 2 lines 62-64 and column 4 lines 26-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to poll the server and then as in the system of Feinleib in the system of Smith. One of ordinary skill in the art would have been motivated to do this because it would allow the target device to have up to date configurations.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frailong in view of Smith.

In reference to claim 1, Frailong suggests a secure system for configuring remote networked devices and gateway servers, comprising: an administration machine comprising a device configured to create, update and maintain a collection of configuration data, the administration machine further comprising a storage device configured to store the configuration data, the administration machine further comprising a process to retrieve the configuration data from the storage device, compress, the administration machine further comprising a network interface configured to interface with a network and transmit the file (column 5 lines 15-32); a remote email server configured to receive the encrypted file from the administration machine and store the (part 204 Fig. 2, column 5 lines 45-51) file; and a gateway server configured to retrieve the file from the email server, the gateway server comprising a network interface configured to receive the file, the gateway server further comprising a storage device to store the file, the gateway server further comprising a process to retrieve the file from the storage device and reconfigure the gateway server according to the configuration data (column 5 lines 58 to column 6 line 18 in combination with column 18 lines 25-28).

However Frailong does not disclose the encryption of the configuration file and therefore does not disclose the decrypting of the encrypted file to produce the decrypted configuration data.

Smith discloses encrypting the configuration file (column 22 lines 24-28) and decrypt the encrypted file to produce decrypted configuration data and reconfigure the gateway server according to the configuration data (column 22 lines 29-32).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to encrypt the configuration files as in Smith in the system of Frailong. One of

ordinary skill in the art would have been motivated to do this because it ensure the security of the remote configuration process.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frailong as applied to claim 2 above, and further in view of Walker et al (6,110,041).

Frailong does not expressly disclose the initialized device being an automatic teller machine.

Walker discloses the initialized device being and automatic teller machine (column 2 lines 36-41 in combination with column 9 lines 26-35)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a central server to configure automatic teller machines. One of ordinary skill in the art would have been motivated to do this because it would eliminate the need for users or operators to manually enter information during each and every session to configure the terminal (column 9 lines 33-35).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W Klimach whose telephone number is (703) 305-8421. The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jose G
AU 2135

PWK

Saturday, August 07, 2004